

Remarks

Reconsideration and withdrawal of the rejections of all claims are requested in view of the foregoing amendments and the following remarks:

Claim 1 has been amended to incorporate the subject matter of Claim 5, which has accordingly been canceled. Contrary to the Examiner's contention, no claim is anticipated by the Higgins U.S. patent Nos. 6,034,358, under 35 U.S.C. 102(b); nor would any claim have been obvious under 35 U.S.C. 103.

Notwithstanding the Examiner's arguments, and irrespective of other distinctions that exist, there clearly is no teaching in or suggestion by Higgins of or for an elongate recess having a width that increases with increasing distance from the edge of the heater, as defined in Claim 1.

The recesses in the Higgins heater are designed to enable the heating element to pass beneath a lamp envelope, not beneath a rod-like temperature-responsive device. The cross-sections shown in Figures 2A and 2B of the patent follow the curvature of the heating element 12, and do not indicate whether there is a recess where the heating element 12 passes beneath the rod-like temperature-responsive device 26. The figures also fail to indicate whether the recess has "sloping sides extending beneath and along the length of the rod-like temperature-responsive device," as required by Claim 1. Absent these *teachings*, there can be no anticipation.

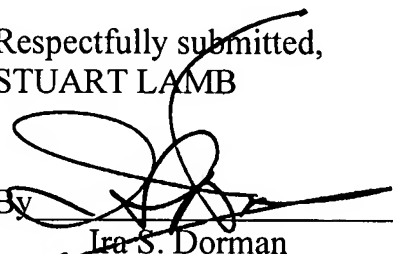
Moreover, there is no need in Higgins to provide, for the ribbon-form element, an elongate recess extending along the length of the temperature-responsive device. That is so because the temperature-responsive device must pass over the lamp enve-

lope, which is at a higher level than the top of the ribbon-form element. Consequently, the problems overcome by the present invention are not encountered in Higgins, and there is no other motivation that would justify modification of Higgins so as to satisfy Applicant's claims.

In view of the foregoing, it is respectfully submitted that Claim 1 of the application (and consequently, all pending claims) defines an invention that is clearly novel and patentable over the prior art. Withdrawal of the rejections, and passage of the application to allowance, are believed to be manifestly in order. Such actions are earnestly solicited.

Respectfully submitted,
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CERTIFICATE OF MAILING

I, IRA S. DORMAN, hereby certify that this Response to Office Action is being deposited with the United States Postal Service, First Class mail, postage prepaid, in an envelope addressed as set forth above on the first page hereof, on October 2, 2007.

cc: Derek C. Jackson, Esq.
(Ref. No. P0786)